



CM/ECF News

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United States Bankruptcy Court
Northern District of Georgia

December 2006

★ REVISED 12/18/06

Bankruptcy Update

What's New?

Two tasks have been automated in the month of November 2006. Chapter 7 cases (new and converted) are now calendared and auto-docketed electronically for the 341 Meeting of Creditors. Also, the Summons on all new Adversary proceedings is auto-docketed. The plaintiff's attorney still needs to print and serve all interested parties as usual. Thanks to our IT Department for automating these processes for us!

Common Docketing Errors

1. Do not type in ALL CAPS.
2. Attorneys do not need to file the B21 Statement of Social Security Number when opening electronically filed cases. This document should be maintained by the attorney's office. This document has the debtor's full Social Security Number and filing this electronically violates the Privacy Amendments. However, the specific instructions for Amendments to the Voluntary Petition to correct a Social Security Number are:

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Procedure for Electronically Filing Amendments to Amend (or Correct) Social Security Number

A. Create an electronic version of Form B-21. This form does **not** have to be converted to .pdf format. The form is available on the Court's website at www.ganb.uscourts.gov under "Forms".

B. Electronically file the amendment including the **redacted** Social Security Number via CM/ECF.

C. **Send an email to the Clerk's Office** (*see appropriate Division email addresses on page 5 of this newsletter*) indicating that an amendment has been filed to correct a Social Security Number. Include the electronic version of Form B-21 as an attachment to the email. This attachment can be in Corel Word Perfect, Microsoft Word, or as a PDF.

D. The Clerk's Office will make the necessary changes to the Debtor's Social Security Number in the CM/ECF program.

3. Exhibit D is to be filed as part of the Voluntary Petition. If Exhibit D is not filed as part of the Voluntary Petition, it must be submitted using the event "Bankruptcy" - "Other" - "P-Amendment to Voluntary Petition." Exhibit D is to be completed by every individual debtor. If a joint petition is filed, each spouse must complete a separate Exhibit D. Exhibit D is not applicable to business debtors. A **separate** Motion must be filed requesting a temporary waiver for exigent circumstances or to determine the debtor(s) is not required to receive credit counseling.

4. The Certificate of Credit Counseling **must** be filed as a separate document and not submitted as part of the Voluntary Petition.

5. The Pay Advices (pay stubs) **must** be filed as a separate document and not submitted as part of the Voluntary Petition. If the debtor(s) has been unemployed, self-employed, the employer did not provide pay stubs, or for other reasons the pay advices are not available, a form is provided on our website under "Forms" - "GANB Local Forms" - "Statement of Payment Advices," which should be filed in lieu of the actual pay advices. Submit this statement using the same event as you would for the actual pay advices "Bankruptcy" - "Other" - "Payment Advices."

6. Do not use the event "Motion to Amend" to file Amended Schedules. With the exception of Amendments to Schedules D, E, and/or F, Amended Schedules are now submitted using the same event that you use to file the original Schedule(s) - "Bankruptcy" - "Other" - "P-Schedule ____" When submitting Schedules you will be prompted with the question, "Is Schedule ____ being Amended?." If you are Amending Schedule(s) D, E, and/or F, you **must** use the

event "P-Amendment to Schedules D, E, and/or F (Fee)," also found under "Bankruptcy" - "Other." Remember to include in all amendments a cover document describing the change(s), the amended schedule(s) themselves, an amended Summary of Schedules which includes the Statistical Summary, debtor(s) verification, and a certificate of service. If you are adding creditors, you will also need to include a Supplemental Matrix listing only those creditor(s) being added. If creditor(s) are being deleted, identify whom in the cover document.

7. If you are filing a Motion for Relief from Stay which also requests other types of relief you must choose an event for all relief being sought. For example, if your Motion for Relief from Stay also requests Adequate Protection, you must choose both events Motion for Relief from Stay and Motion for Adequate Protection. Do not simply enhance to the docket text to identify the other type(s) of relief in the motion.

8. A Chapter 13 debtor has a automatic right to convert to a Chapter 7 once. This is **NOT** a Motion to Convert! Use the event "First Request to Convert from Chapter 13 to Chapter 7 (FEE)" found under "Bankruptcy" - "Other." All subsequent requests to convert or any other requests to convert must be filed as a Motion to Convert using the appropriate event found under "Bankruptcy" - "Motions/Applications."

9. The event "Reconsider Order of Dismissal, Motion to" is to be used only if this Motion is being filed within ten (10) days of the entry of the Order of Dismissal and no fee will be collected for this Motion. However, if the request is filed more than ten (10) days from the entry of the Order of Dismissal, you **must** use the event "Vacate Dismissal Order (FEE), Motion to." Be sure not to use the events "Reconsider, Motion to" or "Vacate, Motion to" when dealing with an Order of Dismissal. The events "Reconsider, Motion to" or "Vacate, Motion to"

are to reconsider or vacate any other type of Order.

New Procedures

Public Instructions to **Request Transmittal of GANB Audio Transcripts**

Obtain "Request for Transmittal of Audio Transcript" form (found under CM/ECF at www.ganb.uscourts.gov). The form is also available through a Courtroom Deputy. Instructions are also available under CM/ECF.

Enter data on the form for all case information:

Date of Hearing
Time of Hearing
Debtor's name
Case Number
Contested Matter / Adversary Proceeding

Note: for multiple hearings of the same case, complete a separate request form for each hearing

Check one box for Entire Proceeding or CD-ROM

Note: To request both a paper copy and CD-ROM of the same hearing, complete a separate request form for each.

Enter data on the form for all pertinent information:

Your name
Signature
Firm
Address
Telephone number
E-mail address
Date

Check a box for preferred delivery of transcript: Ordinary, Expedited or Daily.

To complete paper transcript requests, contact J&J Transcribers to order paper transcripts.

To complete CD-ROM Transcript requests, contact the GANB Clerk's Office, Help Desk at 404-215-1188.

Payment must be received by the GANB Clerk's Office before audio CD-ROM transcripts will be delivered. Acceptable forms of payment are money orders, certified funds or cash. An attorney's check made payable to Clerk, U.S. Bankruptcy Court is also acceptable.

CD-ROM transcripts will be available for pick-up at the Case Intake counter.

NOTE: For assistance, contact the Help Desk at 404-215-1188.

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CM/ECF - Version 3.0 Attorney Tip Sheet

ADVERSARY:

- When opening an Adversary case you must add at least one Plaintiff and one Defendant at the appropriate screen. You will no longer have to select "Party Role" for the parties.
- During the opening of an Adversary case you can add multiple "Nature of Suit" codes. A prompt appears advising filers that if a 727 Objection to Discharge is included in the Complaint, then that Nature of Suit should be selected first.

CASE OPENING:

- In the case opening process certain items are required:

(Social Security Number, Address line 1, City, County, State, Zip)

Prompts will appear if the information is not completed in these fields.

- When adding a party through case opening, or docketing, you now have the option to include first and middle names in the search.

- When opening a Bankruptcy case you can only pick one type of debtor:

(Individual, Corporation, Partnership, or Other)

- The wording below has been added when creditors are entered via “Creditor Maintenance,” and an example is also displayed.

“Name may be 50 characters. Address may be 5 lines, 40 characters each.

More than one creditor may be entered.

Separate creditors with a blank line.”

INVOLUNTARY CASES:

- “Open Involuntary Case” option now appears under the “Bankruptcy” menu.

- When opening an Involuntary Case the first party search is for the **Debtor**. An Involuntary Case can only be filed against one Debtor, therefore, only one Debtor can be added.

- When opening an Involuntary Case the second party search is for the **Petitioning Creditor(s)**. More than one Petitioning Creditor may be added.

DOCKETING:

- The docketing screens now show Chapter and Case Flags.

- When docketing a Multi-part Motion, parts (events) are displayed in the order they are selected. They are no longer based on where they appear in the pick list. Please make every attempt to insure the docket entry reads in the same order as the title of the Motion.

DOCKET REPORTS:

- The “Role Types” of parties will appear above their names on the docket report.

CLAIMS:


- The “Claims Register” and “Creditor Mailing Matrix” are now available directly from the Query screen in alphabetical order.

- The Claims Register will now show a “Claims History” that will contain Amended Claims and any docketed events that relate to the Claim.

PACER:

- The Docket Activity Report now allow Attorneys to select “Only cases to which I am linked”

- Transcripts will be billed with a 30 page maximum and Opinions are free.

 This Tip Sheet and the Version 3 Attorney Guide 2 are also available at the Court’s website under CM/ECF.

ONLINE NEWSLETTER

This newsletter and previous issues are available for online viewing at <http://www.ganb.uscourts.gov>. Click the link for CM/ECF, the newsletter link under CM/ECF Reference Materials.



FEEDBACK

We value your participation and opinion!

irene_wiggins@ganb.uscourts.gov

daniel_newsome@ganb.uscourts.gov

gary_drake@ganb.uscourts.gov

michael_g_smith@ganb.uscourts.gov

(Gainesville, Rome, Newnan Divisions)

For corrections or edits to cases filed in any of the divisional offices, please contact the office ***directly*** by phone.

Gainesville (678) 450-2700

Rome (706) 378-4000

Newnan (678) 423-3000

Atlanta Division - GANB-ATLA_Amendments@ganb.uscourts.gov

Gainesville Division - GANB-GAIN_Amendments@ganb.uscourts.gov

Newnan Division - GANB-NEWN_Amendments@ganb.uscourts.gov

Rome Division - GANB-ROME_Amendments@ganb.uscourts.gov

Contacts for Corrections

(Atlanta Division)

When you have found that an entry was made in error, (e.g., attaching the wrong document, incorrect party, wrong information entered, etc.), please contact the Assistant Supervisor for these corrections as follows:

For corrections or edits to cases assigned to Judges Mullins-CRM, Massey-JEM, Diehl-MGD or Bonapfel-PWB, ***please e-mail*** [Bernice Brown@ganb.uscourts.gov](mailto:Bernice_Brown@ganb.uscourts.gov)

For corrections or edits to cases assigned to Judges Drake-WHD, Murphy-MHM, Bihary-JB or Brizendine-REB, ***please e-mail*** [Shannon Whitworth@ganb.uscourts.gov](mailto:Shannon_Whitworth@ganb.uscourts.gov)